



Morocco

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Morocco is a constitutional monarchy with an elected parliament; however, ultimate authority rests with the King, Mohammed VI, who presides over the Council of Ministers, appoints or approves members of the Government, and may, at his discretion, terminate the tenure of any minister, dissolve the parliament, call for new elections, and rule by decree. The bicameral legislature consists of a lower house, the Chamber of Representatives, which is elected through universal suffrage, and an upper house, the Chamber of Counselors, whose members are elected by various regional, local, and professional councils (members of whom are elected directly). The lower house of parliament also may dissolve the Government through a vote of no confidence. In September 2002, the country held parliamentary elections for the lower chamber that were widely regarded as the first free, fair, and transparent elections in its history. The King appointed nonparty member and former Interior Minister Driss Jettou as the new Prime Minister. In September, elections were held for local government councils. The elections were widely recognized as well administered; the Government limited the participation of the Islamist Party of Justice and Development (PJD). The Constitution provides for an independent judiciary; however, it remained subject to government influence and corruption.

The security apparatus includes several overlapping police and paramilitary organizations. The National Police (which includes the Border Police and the Mobile Intervention Corps), and the country's intelligence service (Direction de la Surveillance du Territoire - DST) and the Auxiliary Forces are departments of the Ministry of Interior; the Judicial Police is under the jurisdiction of the Ministry of Justice; and the Royal Gendarmerie reports to the Palace. Civilian authorities maintained effective control of the security forces. Some members of the security forces continued to commit serious human rights abuses.

The market-based economy was led by a sizable services sector with a strong tourism component, a growing manufacturing sector, a diverse agricultural and fisheries sector, and large phosphate reserves. The population was approximately 31.7 million. Citizens working abroad were a source of substantial remittances. The Government expected a real GDP increase of 5.5 percent for the year. Wages and benefits kept pace with inflation during the year. One in five citizens lived in poverty.

Although there was important progress in some areas, the human rights record remained poor in other areas. Citizens lacked the full ability to change their government. The May 16 terrorist attacks on five Western and Jewish targets in Casablanca altered the human rights, as well as the security environment in the country. Forty-five persons were killed in the attacks, including 12 suicide bombers. During the year, authorities detained more than 1000 people for possible involvement with terrorist groups. An anti-terrorist law passed by parliament on May 27 very broadly defined terrorism as an act or acts intended to create fear and discord in society and threaten its safety. There were deaths in police custody. Impunity remained a problem. Authorities, at times, arbitrarily arrested and detained persons. Human rights groups did not believe that the Government disclosed all the information available about citizens who were abducted from the 1960s through the 1980s. At times, the authorities infringed on citizens' privacy rights. Prison conditions remained extremely poor. The judiciary lacked independence and was subject to government influence and corruption. Freedom of the press was restricted; journalists regularly practiced self-censorship, and seven journalists were sentenced to prison. The police violently dispersed several peaceful demonstrations during the year. The Government generally respected freedom of religion; however, there were some limitations. Violence and societal discrimination against women were problems. The protection of unaccompanied, repatriated children was a problem. The Government violated worker rights, subjected unions to government interference, restricted the right to strike and to form unions, and used security forces to break up strikes. Child labor was a problem, including the practice of the illegal employment of young girls who were subjected to exploitative domestic servitude. Trafficking in persons remained a problem, but the Government fully complied with the minimum standards for the elimination of trafficking in persons.

In November, the King approved the establishment of a nonjudicial Justice and Reconciliation Commission to provide out-of-court settlements and to rehabilitate victims in approximately 13,000 cases of alleged abuses that occurred before he assumed the throne in 1999. On July 3, parliament passed a new Labor Code, based on extended, society-wide consultations, which provides a new basis for labor relations. On December 12, the Cabinet approved a new Code of Family Law to improve the status of women and establish a more egalitarian society. Parliamentary action was expected early in 2004. Increased human rights awareness training continued, including for prison officials and medical personnel.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were no reports of politically motivated killings; however, according to human rights groups and press reports, several detainees died in police custody, with little or no serious investigation into the circumstances. For example, Abdelhaq Bentasser, described by a state prosecutor as the general coordinator of the May 16 attacks, died May 28 while being taken by investigators from Fez to Casablanca. According to government officials, he died from chronic heart and liver disease. On June 24, Mohamed Boualnit reportedly died in a road crash near Marrakech on June 24, while in police custody. Ministry of Justice officials reported that three policemen were charged in the case. In another instance of alleged unlawful death, the Moroccan Organization for Human Rights (OMDH) cited the case of Driss Dida who was arrested by gendarmes near Meknes on August 31 and died on September 1. His family was told that he had suffered a heart attack.

In July, three prisoners were convicted for the November 2002 death in custody of Mohamed Boucetta, imprisoned in Laayoune for drug charges. A prison guard was acquitted in the case.

b. Disappearance

There were no new cases of confirmed disappearance; however the large increase in detainees and prisoners has resulted in an increase in allegations of disappearance that were, by their nature, difficult to confirm. For example, in its statement to the U.N. Committee against Torture in November, the OMDH cited the case of Mohamed Damir, whose brother was sentenced to death in connection with an Islamist group, who disappeared after the May attacks. His family had still not received any news from him at year's end.

The Moroccan Association for Human Rights (AMDH) claimed that the continued practice of incommunicado detention without informing family members of those detained confirmed the continued practice of forced disappearance (see Section 1.d.). According to Amnesty International (AI), the DST practice is to deny holding the person in question, particularly those held in the DST detention center in Temara. In such cases, family members and lawyers usually learned of the detention after the detainee was brought before a magistrate, charged and placed in pre-trial detention; in this context, the secret detention amounted to a period of disappearance.

The forced disappearance of individuals who opposed the Government and its policies occurred during several decades. In 1997, the Government pledged that such activities would not recur, and that it would disclose as much information as possible about past cases. The Government provided information and death certificates for many of those who had disappeared over the years. However, hundreds of families did not have any information about their missing relatives, many of whom disappeared over 20 years ago. Authorities stated that they released information on all 112 confirmed disappearance cases. However, human rights groups and families continue to claim hundreds more cases of disappearances, many from the Western Sahara.

The CCDH also was responsible for assisting the Royal Arbitration Commission in providing compensation to victims of past human rights abuses, or their surviving family members, including Sahrawis.

According to the Ministry of Human Rights, the Commission had resolved 4677 cases, in which 3657 claimants were awarded \$ 94.5 million (945 million DH). The Commission rejected 885 cases because they did not involve disappearances or arbitrary detention and 133 cases because the claimants did not respond to a summons to appear before the Commission or did not supply documentation.

Two cases were suspended, and a further 450 were considered to be duplicates.

The Arbitration Commission did not review a further 6500 requests for compensation because they were received after the December 31, 1999 application deadline.

Associations that sought information regarding those who have disappeared called upon the Government for full disclosure of events surrounding cases that date back to the 1960s. Associations in the Western Sahara that sought information on disappearances were not free from government interference; there were reports that some members of these associations were harassed and intimidated while seeking information regarding missing Sahrawis. Some also continued to be denied passports (see Section 2.d.).

In November, the CCDH announced the formation of a Justice and Reconciliation Committee to replace the Arbitration Commission and whose purpose would be to settle definitively serious violations of human rights, including compensation for all outstanding cases of arbitrary detention and disappearance, prior to the King's assumption of the throne in 1999 (see Section 4.

c. Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

The law prohibits torture, and the Government denied the use of torture; however, some members of the security forces tortured or otherwise abused detainees. The Penal Code stipulates sentences up to life imprisonment for public servants who use or

oblige the use of violence against others in the exercise of their official duties. By law, pretrial-investigating judges must, if asked to do so or if they themselves notice physical marks that so warrant, refer the detained person to an expert in forensic medicine. However, according to human rights groups, judges often ignored this requirement in practice, which called into question the Government's commitment to resolving the problem.

Attorneys for some persons convicted under the new anti-terrorism law claimed their clients were convicted on the basis of confessions coerced by torture. For example, according to the OMDH, in early August, at the Court of Appeal in Fez, most of the 29 accused of terrorist involvement stated that they had been tortured; judicial authorities refused to order any medical examinations.

In October after a mission to the country, AI reported a sharp rise in the number of cases of torture or ill treatment in the last 2 years. Allegations generally involved detainees held during an illegally extended period of pre-arraignment detention.

The Government continued to admit past torture and abuses. While its mandate was not to prosecute those responsible, the Royal Arbitration Commission continued to hear and rule on claims and offer restitution to victims and has permitted human rights groups to organize conferences on the subject.

During the year on a number of occasions, police violently dispersed demonstrators (see Section 2.b.).

Prison conditions remained extremely poor, and did not generally meet international standards, despite some improvements in medical care and efforts to expand capacity. There were separate facilities for men, women and minors. Pretrial detainees were not held separately from convicts.

Extreme overcrowding, malnutrition, and lack of hygiene continued to aggravate the poor health conditions inside prisons.

In January, a local NGO, the Moroccan Prison Observatory (OMP) reported that the population in the country's 46 prisons, which were designed for 39,000 had reached 59,000 prisoners. The OMP reported that food, hygiene and medical conditions were grossly inadequate, with a daily budget of only \$1.30 (13 DH) per prisoner.

In June 2002, the OMP alleged that 12 percent of prisoners were minors that the prison administration failed to protect. The OMP continued to call attention to problems of corruption, maltreatment, malnutrition, sexual abuse, lack of training and education, drug abuse and violence within the prisons, as well as the issue of incarcerating first-time offenders with hardened criminals.

The Government permitted some independent monitors to visit prisons; however, some monitors were refused entry to the country to have access to alleged political prisoners.

d. Arbitrary Arrest, Detention or Exile

The Constitution does not prohibit arbitrary arrest or detention, and police continued to use these practices. Although legal provisions for due process have been revised extensively in recent years, reports indicated that authorities sometimes ignored them. Although police usually made arrests in public and during the day, they did not always identify themselves and did not always obtain warrants. Under the new antiterrorism law, administrative detention has increased from 48 to 96 hours, with two additional 96 hour extensions allowed at the prosecutor's discretion. In state security cases, the administrative detention period is 96 hours; the prosecutor may also extend this time. Defendants were denied access to counsel or family members during this initial period, which is when the accused is interrogated and abuse or torture is most likely to occur. Some members of the security forces, long accustomed to indefinite access to detainees before charging them, continued to resist the time limits. In November, AI reported that some of those arrested had been held for up to 5 1/2 months in secret detention.

The police were required to notify a person's next of kin of an arrest as soon as possible; however, lawyers were not always informed promptly of the date of arrest, and thus were not able to monitor compliance with the administrative detention limits. The law provides for a limited system of bail; however, it rarely was granted. Defendants in some instances were released on their own recognizance. The law does not provide for habeas corpus or its equivalent. Under a separate military code, military authorities may detain members of the military without warrants or public trial.

Although accused persons generally are brought to trial within an initial period of 2 months, prosecutors may request up to five additional 2-month extensions of pretrial detention. Thus, an accused person may be kept in detention for up to 1 year prior to trial.

The National Police (6,000 personnel) and the Mobile Intervention Corps (5,000 personnel) are part of the Ministry of the Interior. The National Police contains the border and immigration services which have responsibility for matters concerning the frontiers and immigration laws, and also contains the main federal investigative body, the National Brigade which is responsible for investigating violations of the federal penal code, such as terrorism, organized crime, and white-collar crime. The DST, part of the Ministry of Interior, has security functions. The Auxiliary Forces (25,000 personnel) are also part of the Ministry of Interior. The Judicial Police are part of the Ministry of Justice. The Royal Gendarmerie (29,000 personnel) is a paramilitary force

reporting directly to the Palace and is responsible for law enforcement in rural regions, including national highways

Police impunity remained a problem. Bribery and smuggling were prevalent. During the year, the Government acted against smuggling rings and police corruption in the northern regions of the country.

In August, the Government announced that 1048 persons had been detained for links with terrorist groups, including involvement in the May 16 suicide attacks. The law provides for the right to a fair trial; however, some human rights groups criticized the conduct of trials which proceeded very quickly for some defendants, including by mass trials of 50 persons. According to law, all the defendants had the right to be represented by attorneys and, if a defendant could not afford private counsel a court appointed attorney was to be provided. Attorneys for two prominent defendants, Hassan Kettani and Mohamed Abdelouhab, withdrew from their cases on the grounds that they were not allowed to call witnesses. Other attorneys alleged that a number of prosecutions were based solely on police interrogations and confessions coerced by torture.

There were numerous other arrests of persons whom authorities described as criminals but whom activists for Western Sahara independence described as victims of forced confessions.

The law provides for forced exile; however, there were no known instances of its use during the year.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the courts were subject to extrajudicial pressures, including government influence. Some members of the judiciary were corrupt and delays were lengthy in some cases

There are four levels in the common law court system: Communal and district courts; courts of first instance; the Appeals Court; and the Supreme Court. In theory there is a single court system under the Ministry of Justice; however, other courts also operate, including: The Special Court of Justice, which handles cases of civil service corruption; administrative courts; commercial courts; and the military tribunal. At the Government's discretion, serious state security cases such as those relating to the Monarchy, Islam or territorial integrity (i.e., advocating independence for the Western Sahara) may be brought before a specially constituted military tribunal, responsible to the military and the Ministry of Interior.

In October, the Minister of Justice began to establish new family courts to adjudicate divorce and child custody cases in anticipation of proposed reforms to the Moudawana (Personal Status Code). Family issues for Muslim citizens are adjudicated by a Family Court system formed in July 2002 whose judges are trained in Shari'a (Islamic law) as applied in the country; Jewish citizens deal with these matters in their own courts.

In general, detainees were arraigned before a court of first instance. If the judge determined that a confession was obtained under duress, the law requires him to exclude it from evidence. However, human rights activists alleged that cases often were adjudicated on the basis of forced confessions.

While appeal courts may in some cases be used as a second reference for courts of first instance, they primarily handled cases involving crimes punishable by 5 years or more in prison. In practice, defendants before appeals courts who are implicated in such crimes consequently have no method of appeal. The Supreme Court did not review and rule on cases sent to it by courts of appeal; the Supreme Court may overturn an appellate court's ruling on procedural grounds only. The absence of appeals for defendants in such crimes therefore became more problematic given the fact that an investigation into the case by an examining magistrate was mandatory only in those crimes punishable by sentences of life imprisonment or death.

Efforts continued with very limited success to increase efficiency and to end corruption, which, according to most observers, remained a routine cost of court business.

Resource constraints also affected the court system. Although the Ministry of Justice provided an attorney at public expense for serious crimes (when the offense carries a maximum sentence of more than 5 years), appointed attorneys who were poorly paid often provided inadequate representation.

The law does not distinguish political and security cases from common criminal cases. The Government did not consider any of its prisoners to be political prisoners; however, AI identified 60 persons whom it considered to be political prisoners.

Various international human rights groups' estimates of the number of persons in prison for advocating independence for the Western Sahara varied from 0 to 700; however, there was no consensus on a definitive number. Conditions in the Western Sahara complicated attempts to confirm whether Sahrawis were imprisoned solely for their political affiliation or open advocacy of independence, or for other actions in violation of the law. The AMDH claimed that it knew of no persons imprisoned for having solely overtly advocated independence.

f. Arbitrary Interference with Privacy, Family, Home or Correspondence

The Constitution states that the home is inviolable and that no search or investigation may take place without a search warrant

however, authorities sometimes ignored these provisions. The law stipulates that a prosecutor may issue a search warrant on good cause.

Government security services monitored certain persons and organizations, both foreign and domestic, and government informers monitored activities on university campuses.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of expression; however, Article 41 of the anti-terrorist law as well as the Press Code permits prison sentences and financial penalties for journalists and publishers who violate its restrictions on defamation, libel and discussion regarding three topics: the Monarchy; territorial integrity, i.e., advocating independence for the Western Sahara; and Islam. The Press Code lists threats to public order as one of the criteria for the censor to consider. Within these limits, newspapers and weeklies were published across the political spectrum and were sometimes critical of government policies.

The Government controlled the media generally through directives and guidance from the Ministry of Interior. Publications that were judged offensive could be confiscated or indefinitely suspended. The Government may censor newspapers directly by ordering them not to report on specific items or events. The Government registered and licensed domestic newspapers and journals and could use the licensing process to prevent the publication of materials that exceeded its threshold of tolerable dissent. The Ministry of Interior controlled foreign publications by removing banned publications from circulation.

On May 21, journalist Ali Lmrabet was sentenced under the press code to 4 years imprisonment and fined \$2000 (20,000 DH) for disrespect to the King, disparaging the monarchy, and challenging the country's territorial integrity. Lmrabet began a hunger strike before his trial, which he continued for 54 days. On June 17, his sentence was reduced to 3 years on appeal.

Five other journalists received sentences for various offenses. On June 5, Mustapha Alaoui, editor of the newspaper *Al Usbua* was arrested after his newspaper published a statement from an organization called *Assaiqa* that claimed to be involved in some of the May 16 attacks. The Government argued that his actions undermined public security. Alaoui, who was not jailed, received a 1-year suspended sentence, a fine of \$50 (500 DH), and his newspaper was banned for 3 months.

Three journalists from the northern town of Oujda were arrested on June 10 for publishing an interview in the journals *Al Hayat* *Al Maghribya* and *Al Sharq* in which an alleged member of the extremist movement-Salafiya Jihadiya described the May 16 suicide attackers as martyrs and discussed the history of the Islamist movement in the country and its relationship with the DST. Two of the journalists, Abdel Majid Ben Taher and Mustapha Kechnini, were sentenced on August 4 to 2-year prison terms, but were free at year's end on appeal. Another journalist, Mohamed Al Herd, director of the *Asharq* newspaper was sentenced to a 3-year imprisonment in August for re-printing the interview linking the security services with the May 16 attacks.

On May 21, the Government banned under the provisions of the Press Code the publication of Lmrabet's weeklies, the French language *Demain* and the Arabic language *Doumain*, the Arabic language publication *Al Usbua* and the Arabic language publication *Asharq*, for articles or cartoons viewed as defaming the monarchy or violating the new antiterrorism law

The law requires the Ministry of the Interior to justify to the courts any seizure or banning of domestic or foreign publications, suspension of the publisher's license, or destruction of equipment. The law provides for 3 to 5 year jail sentences, fines, and payment of damages for newspaper officials found guilty of libeling public officials.

There were approximately 2,000 domestic and foreign newspapers, magazines, and journals in circulation during the year. The Government owned the official press agency, *Maghreb Arab Press* (MAP), and the Arabic daily newspaper, *Al-Anbaa*. The Government also supported two semiofficial dailies, the French-language *Le Matin* and the Arabic-language *Assahra Al Maghribia*. In addition, the Government subsidized the press through price controls for newsprint and office space. The Government generally tolerated satirical and often stinging editorials in the opposition parties' dailies. The media continued to engage regularly in self-censorship to avoid possible sanctions.

The Government owned Moroccan Radio-Television (RTM). Another major broadcaster was the French-backed *Medi-1*, which operated from Tangier. While nominally private and independent, *Medi-1* practiced self-censorship, as do other media outlets. A government-appointed committee monitored broadcasts. The Government owned the only television stations whose broadcasts could be received in most parts of the nation without decoders or satellite dish antennas. Dish antennas were in wide use throughout the country. The Government did not impede the reception of foreign broadcasts during the year. In December, parliament passed an Audio Visual Law that is designed to encourage private investment in broadcast media.

During the year, the Government continued to block the publication of newspapers of the Islamist Justice and Charity Organization (JCO), *Al Addle Awl Insane* and *Rissalat Al Foutuwa*. The authorities blocked two of the JCO's websites at the same time and cut domestic access to them.

During 2001, the Government banned two publications: *Le Journal* and *Assahifa*. However, these publications continued to

circulate with name changes from le Journal to le Journal Hebdo and Assahifa to Assahifa Al Ousbiya. Unlike in previous years, there were no libel awards to government figures during the year.

The press also published unflattering and critical articles that would have been censored previously. The press openly reported on topics such as government corruption and financial scandals, sensitive human rights cases, harsh prison conditions, torture, poverty, prostitution, violence against women, exploitation of child maids, and sexual abuse of children. There were also articles critical of Morocco's diplomatic efforts on the Western Sahara issue.

Books that openly criticized the country's past sold freely except for five related to disappearances and the regime of King Hassan II.

The Government did not block Internet access generally, apart from JCO's websites.

The Government restricted academic freedom. There was no open debate on the monarchy, the Western Sahara, and Islam. Government informers monitored campus activities, mostly Islamist, and the Ministry of Interior approved the appointments of rectors (see Section 1.f.).

b. Freedom of Peaceful Assembly and Association

The Constitution provides for freedom of assembly, and during the year, most meetings and marches took place peacefully without government interference; however, the law also permits the Government to suppress peaceful demonstrations and mass gatherings, and at times during the year police forcibly prevented and disrupted gatherings. Most conferences and demonstrations required the prior authorization of the Ministry of Interior, ostensibly for security reasons. However, local observers generally agreed that the authorities required a declaration of a public meeting and their own authorization in order for public-venue meetings or peaceful sit-in to proceed, and the authorities only allowed such events to take place if they were considered non-threatening to government policy.

In March, authorities arrested five students of the Faculty of Letters in Beni Mellal following a sit-in at which the students protested their expulsion from the Faculty, ostensibly on grounds that they were members of the JCO.

Also in March, police in Rabat detained the President of the AMDH, Amine Abdelhamid after he made inquiries into the whereabouts of arrested AMDH member Faouzi Lachhab. Police reportedly arrested Abdelhamid and Lachhab for their participation in a demonstration of solidarity with the people of Iraq.

In October, police forcibly broke up a sit-in at the Mohammedia University Faculty of Law. The students were protesting the earlier conviction and sentencing to 8 months imprisonment by a Mohammedia Magistrates Court of four Islamist law students who allegedly disrupted university reforms.

The Constitution provides for freedom of association; however, the Government limited this right in practice. Under a decree, restricting civil society organizations, persons who wish to create an organization are required to obtain the approval of the Ministry of Interior before holding meetings. In practice, the Ministry generally only used this requirement to prevent persons suspected of advocating causes opposed by the Government from forming legal organizations. Historically, extreme Islamist and leftist groups encountered the greatest difficulty in obtaining official approval. Although there were over 20 active Islamist groups, the Government prohibited membership only in the JCO due to its anti-Monarchist orientation. However, the Government tolerated some JCO activities, such as meetings and conferences. The Ministry of Interior, which has used this power to control participation in the political process, also must approve political parties. However, individual Islamists were not barred from participating in recognized political parties.

Prior to the September 2002 parliamentary elections, the Government decreed that any existing political party that had not participated in at least two elections would be dissolved and that public aid would not be granted to any party that did not hold a congress every four years. To create a new party, a declaration must be submitted to the Interior Ministry, and signed by at least 1,000 co-founding members from all regions of the country. Twenty-seven parties participated in the September 12 local elections. The PJD was the only Islamist party that participated in the elections, and its participation was somewhat restricted; it ran candidates in only 18 percent of the municipalities.

c. Freedom of Religion

The Constitution provides for freedom of religion and the Government generally respected this right in practice; however there were some restrictions. The Constitution provides that Islam is the official state religion; however, non-Muslim communities openly practiced their faith. The Constitution characterizes the country as an Islamic state, and designates the King as Commander of the Faithful.

Jewish and Christian communities openly practiced their faiths; however, the Government placed certain restrictions on Christian religious materials, proselytizing, and several small religious minorities were tolerated with varying degrees of official restrictions.

The Government did not license or approve religions or religious organizations. The Government provided tax benefits, land, and building grants, subsidies, and customs exemptions for imports necessary for the observance of the major religions.

The Government monitored the activities of mosques and placed other restrictions on Muslims and Islamic organizations whose activities were deemed to have exceeded the bounds of religious practice and become political in nature. The Ministry of Islamic Affairs monitored Friday mosque sermons and the Koranic schools to ensure the teaching of approved doctrine. At times the authorities suppressed the activities of Islamists, but generally tolerated activities limited to the propagation of Islam, education, and charity. Security forces sometimes closed mosques to the public shortly after Friday services to prevent the use of the premises for unauthorized political activity. The Government strictly controlled the construction of new mosques. Most mosques were constructed using private funds.

The Government barred the Islamic JCO as a political party and subjected prominent members to constant surveillance and at times refused to issue passports to them. The Government continued to block JCO web sites and publication of newspapers (see Sections 1.f., 2.a., 2.b., and 3).

The Government provided funds for the teaching of Islam in public schools. The annual budget also provided funds for religious instruction to the small parallel system of Jewish public schools.

The small foreign Christian community operated churches, orphanages, hospitals, and schools without any restriction or licensing requirement. Missionaries who conducted themselves in accordance with cultural norms were largely left unhindered. However, those who proselytized publicly faced expulsion. Islamic law and tradition called for strict punishment for any Muslim who converted to another faith. Any attempt to induce a Muslim to convert was illegal.

The Government permitted the display and sale of Bibles in French, English, and Spanish, but confiscated Arabic-language Bibles and refused licenses for their importation and sale, despite the absence of any law banning such books. Nevertheless, Arabic Bibles have been sold in local bookstores. During the year, there were reports of police questioning foreign missionaries because they were carrying Christian materials.

There are two sets of laws and courts--one for Muslims and one for Jews--pertaining to marriage, inheritance, and family matters. The family law courts are administered, depending on the law that applies, by rabbinical or Islamic authorities who are also court officials. Under the new Family Law Code for Muslims, judges will be retrained and new civil judges will be recruited. Rabbinical authorities will continue to administer family courts for Jews. The Government continued to encourage tolerance and respect among religions. In August, the King received the chief Sephardic Rabbi of Israel on a private visit to the country. In May 2002, the Shiite organization Al Ghadir asked for official status, the first time for a Shiite association. No response was received from the authorities by year's end.

Beginning in June, several preachers and religious counselors were accused of exploiting mosques for political purposes, such as promoting Islamist parties. The Ministry of Islamic Affairs and Endowments continued to call for permanent control and monitoring of mosques to avoid their exploitation for political propaganda, such as disturbing pamphlets and raising funds.

There were expressions of solidarity from Muslim citizens toward members of the Jewish community during the year. In September, Muslim religious leaders and government officials attended the funeral of a Jewish businessman killed in Casablanca.

For a more detailed discussion, see the [2003 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for freedom of movement; however, the Government restricted this right in certain areas. In the Moroccan-administered Western Sahara, authorities restricted movement in areas regarded as militarily sensitive.

The Ministry of Interior restricted freedom to travel outside the country in certain circumstances. In addition, all civil servants and military personnel must obtain written permission from their ministries to leave the country. The OMDH and AMDH compiled lists of individuals who reportedly were denied passports or who had passports but were denied permission to travel. The OMDH contended that the Government, in resorting to arbitrary administrative delays, continued to harass former political prisoners who sought to resume normal lives.

In March, the authorities confiscated passports belonging to relatives of disappeared persons from the Western Sahara and prevented them from boarding an airline flight to Geneva to participate in a U.N. Commission on Human Rights conference.

The Government welcomed voluntary repatriation of Jews who had emigrated. Jewish emigres, including those with Israeli citizenship, freely visited the country. The Government also encouraged the return of Sahrawis who departed the country due to the conflict in the Western Sahara, provided that they recognized the Government's claim to the territory. The Government did not permit Western Saharan nationalists who have been released from prison to live in the disputed territory.

In November, the Government adopted the Law on Emigration and Immigration that provided for the rights of asylum seekers and the temporary residency of persons who do not qualify for refugee status or asylum. In practice, the Government provides protection against refoulement and has provided refugee status and asylum; however, there were reports that persons with possible claims to refugee status were turned away at the country's borders. The Government cooperated with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees.

Section 3 Respect for Political Rights: The Right of Citizens to Change their Government

The Constitution provides for periodic, free elections on the basis of universal suffrage; however, citizens did not have the full right to change their government. The King, as head of state, appoints the Prime Minister, who is the titular head of government. Constitutional changes in 1992, retained in the Constitution of 1996, authorize the Prime Minister to nominate all government ministers, but the King may nominate ministers himself and has the power to replace any minister at will. The parliament has the theoretical ability to change the system of government; however, the Constitution may not be changed without the King's approval. The Ministry of Interior appoints the provincial governors (walis) and local district administrative officials (caids). However, the King may nominate provincial governors. Municipal and regional councils are elected. The Government consists of 39 cabinet-level posts, including 5 sovereign ministerial posts traditionally appointed by the King himself (Interior, Foreign Affairs, Justice, Islamic Affairs, and Defense).

On September 12, there were elections in which approximately 122,000 candidates competed for posts on approximately 25,000 municipal councils. For the first time, 18-year olds voted due to lowering of the voting age in December 2002. Official turnout was listed at 54 percent. By most accounts the balloting was well organized; however, there were reports that the government limited the participation of the PJD. Women candidates won only 1.7 percent of municipal council seats while fielding 5 percent of the candidates. Following the elections, council members elected new mayors in all cities. There were allegations of corruption and vote buying in some of the races.

In September 2002, the first free and fair parliamentary elections in the country's history were held. According to observers, the absence of fraud and manipulation enhanced the credibility of reform efforts generally.

In preparing for the elections, parliament re-wrote the Electoral Code in its entirety. The new Code included a proportional list system, plus a national list of 30 seats reserved for women. By the time of elections, approximately 37 parties representing mainstream views were in existence, and 26 of them ran candidates. The Government conducted a massive voter education campaign. However, 61 percent of the electorate was illiterate, requiring the ballots to use symbols for all 26 parties. According to government statistics, fifty-two percent of those eligible voted.

The resulting parliament included the thirty women who gained seats reserved for women on the National List, plus 5 who won seats in their local districts. There were two women members of the lower chamber of the previous parliament. Several proposed parties were not allowed to form during the year. The JCO never has been granted legal status as a political party (see Section 2.b.).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government cooperated and was generally responsive to local human rights monitors operating within the accepted boundaries of political discourse in the country. Nationally organized and government-recognized nongovernmental human rights groups cooperating with the Government included: the OMDH, the Moroccan League for the Defense of Human Rights (LMDDH), and the Moroccan Association for Human Rights (AMDH). The AMDH did not cooperate officially with the Government, but usually shared information. The Government, at times, harassed and restricted the activities of the AMDH and OMDH; however, during the year, some former OMDH leaders occupied high-level posts in the Government. Since 2000, OMDH and LMDDH have had government subsidies in recognition of their serving the public interest.

Former AMDH members formed a fourth group, the Committee for the Defense of Human Rights (CDDH) in 1992. There were also numerous regional human rights organizations

Two additional prominent national human rights NGOs, the Forum for Truth and Justice (FVJ) and the Moroccan Prison Observatory (OPM), were formed in 1999. Created by victims of forced disappearance and surviving family members, the FVJ's principal goal was to encourage the Government to address openly the issue of past forced disappearances and arbitrary detention. The OPM's main purpose was improving the treatment and living conditions of prisoners. These groups maintained fairly regular contact with government authorities throughout the year. On June 18, a judicial decision in Laayoune dissolved the Sahara branch of the FVJ on the charge that the organization had undertaken illegal activities that were likely to disturb public order and undermine the territorial integrity of the country. AI suggested that the activities in question were the peaceful expression of views on the issue of self-determination and dissemination of views on human rights issues to international human rights organizations

The Government's attitude toward international human rights organizations depended on the sensitivity of the areas of the NGO's concern. The Government generally was cooperative on disappearances and abuses by security forces. Although government officials met in June 2002 with the International Council for the Rehabilitation of Victims of Torture (a Danish NGO),

the Government did not agree to their recommendation that it permit the U.N. Committee Against Torture to make confidential investigations in the country and to consider individual complaints.

Human rights training based on an agreement between AI and the Government for a 10-year human rights education program continued. The Ministry of Human Rights and the Ministry of Education provided human rights education for teachers. Increased human rights training was provided to prison officials, including medical personnel. The CCDH counseled the Palace on human rights issues, and was charged by the King to resolve cases related to persons who had disappeared. December 2002 changes in its composition and activities increased the influence of the CCDH. For example, the CCDH was mandated to produce an annual report on the human rights situation in the country and to furnish an annual account of its findings. In December 2002, the King also established a nonjudicial Ombudsman (Diwan Al Madhalim) whose aim is to consider citizen allegations of governmental injustices and thereby ensure respect for the rule of law and justice. Its annual report will be reviewed by the CCDH.

In October, the CCDH recommended that the King establish a Justice and Reconciliation Committee that would definitively settle serious violations of human rights that occurred prior to his accession to the throne in 1999. The CCDH recommended that the Committee make a final accounting of the fate of the abducted, hand over to victims' families the remains of the dead, pay compensation, and issue an official acknowledgment and apology for past violations of human rights. The King nominated Committee members in November.

In December, the Government signed an agreement with the International Commission of the Red Cross (ICRC) to integrate principles of international human rights law into school curricula.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution provides for the equality of all citizens; however, law and in traditional practice discriminated against women. Parliament had before it at year's end a new draft legislation governing personal status, after the Cabinet approved it without amendment on December 12. The draft law aims at making the country a more egalitarian society.

Women

The law does not specifically prohibit domestic violence against women, but the general prohibitions of the Criminal Code address such violence. Spousal abuse was common, but there were no reliable statistics regarding its extent. Spousal abuse was more frequent in rural than urban areas and among less-educated persons. Although a battered wife had the right to file a complaint with the police, as a practical matter she would do so only if prepared to bring criminal charges. While physical abuse legally was grounds for divorce, a court would grant a divorce only if the woman were able to provide two witnesses to the abuse. Medical certificates were not sufficient. If the court found against the woman, she was returned to her husband's home. Thus, few women reported abuses to the authorities. However, there was substantial progress in making the public aware of problems concerning women, children, the handicapped and minorities.

The Criminal Code provides for severe punishment for men convicted of rape or sexual assault. The defendants in such cases bear the burden of proving their innocence. However, sexual assaults often go unreported because of the stigma attached to the loss of virginity. While not provided for by law, victim's families may offer rapists the opportunity to marry their victims in order to preserve the honor of the family. Spousal rape was not a crime.

The law is more lenient toward men with respect to crimes committed against their wives. Honor crimes, a euphemism that refers to violent assaults with intent to commit murder against a female for her perceived immodest or defiant behavior remained extremely rare.

The law prohibits prostitution and it was prevalent, especially in urban centers. The Government did not prosecute women who were coerced into providing sexual services. Trafficking in persons was a problem (see Section 6.c. and 6.f.).

In October, the King announced recommendations for the reform during his inaugural address to parliament. The legislation was before parliament at year's end, after the Cabinet approved it without amendment on December 12. The draft law would improve the rights of women in regard to marriage, divorce, property and inheritance, and guardianship of children; increase the marriage age from 15 to 18; and impose limitations on the practice of polygamy. According to the reforms, women will have more equal standing with their husbands on family issues. The reforms are predicated on the establishment of family courts and the creation of a family aid fund and rely much more heavily on the court system than the previous law.

Women were subjected to various forms of legal and cultural discrimination. The civil law status of women was governed by the Code of Personal Status (known as the Moudawana), based on the Malikite School of Islamic law, revised in 1993. Women's groups called attention to unequal treatment under the 1993 Code, particularly to the laws governing marriage, divorce, and inheritance. However, the courts generally rule in favor of the parent who did not file for the divorce. Citizenship passes through the father.

Under the Criminal Code, women generally are accorded the same treatment as men; however the Code of Personal Status

governs family and estate law. Even, in cases in which the law provides for equal status, cultural norms often prevented a woman from exercising those rights. For example, when a woman inherits property, male relatives may pressure her to relinquish her interest.

While many well-educated women pursue careers, few rise to the top echelons of their professions. Women constitute approximately 35 percent of the work force, with the majority in the industrial, service, and teaching sectors. In 1998 (the most recent available official data) the Government reported that the illiteracy rate for women was 67 percent (83 percent in rural areas), compared with 41 percent for men (50 percent in rural areas). Women in rural areas were most affected by inequality. Women who earned secondary school diplomas had equal access to university education.

Many NGOs worked to advance women's rights and to promote women's issues. Among these were the Democratic Association of Moroccan Women, the Union for Women's Action, and the Moroccan Association for Women's Rights, all of which advocated enhanced political and civil rights, as well as numerous NGOs that provided shelters for battered women, taught women basic hygiene, family planning, and child care, and promoted literacy.

In February 2002, an NGO released the results of a study in Casablanca. According to the study of 300 single mothers, 31 percent were child maids under the age of 15; 28 percent were factory workers; 18 percent were unemployed; and 13 percent were adult housekeepers.

Children

The Government remained committed to the protection of children's welfare and attempted to do so within the limits of its budgetary resources. The law provides for compulsory education for children between the ages of 7 and 13; however, in practice, the Government did not enforce the law. A current government study reported that 800,000 school-age children under the age of 14 did not attend school.

Many children worked in the informal sector, due to economic difficulties with their families or elsewhere. The Government had difficulty addressing the problem of child labor, except in organized labor markets (see Section 6.c. and 6.d.). Families employed in agriculture 81 percent of the 600,000 underage (7 to 14 years old) workers. Despite legislation, young girls were exploited as domestic servants on a large scale (see Section 6.f.). NGO activists estimated that the numbers of teenage prostitutes in urban centers were in the thousands. The clientele consisted of both foreign tourists and citizens.

The practice of adoptive servitude, in which urban families employ young rural girls and use them as domestic servants in their homes, was widespread. Credible reports of physical and psychological abuse in such circumstances were widespread. Some orphanages have been charged as complicit in the practice. More often parents of rural girls contracted their daughters to wealthy urban families and collected the salaries for their work as maids. Adoptive servitude was accepted socially, was unregulated by the Government, and has only in recent years begun to attract public criticism. Since 2000, the National Observatory of Children's Rights (ONDE) has conducted a human rights awareness campaign regarding the plight of child maids, although the problem remained prevalent.

The number of children working illegally as domestic servants was high: 45 percent of household employees under the age of 18 were between the ages of 10 and 12, and 26 percent were under the age of 10, according to a 2001 joint study by the Moroccan League for the Protection of Children and UNICEF. The legal minimum age of employment is 15 years. The report denounced the poor treatment a number of the children received, such as being forced to work all day with no breaks. Many children worked either as domestic servants, artisan apprentices, or in some other capacity that kept them from attending school.

A problem that has drawn recent attention was the situation of unaccompanied repatriated children. Upon their return, generally from Spain, they were subject to material difficulties and abuse on the streets as well as by border officials. The Government had limited capacity to deal with this problem (see Section 6.f.). On December 28, the Government signed an accord with Spain to repatriate unaccompanied minors. As part of the accord, Spain committed itself to help the Government reunify children with their families or in halfway houses and to provide remedial education for the repatriated children.

Another problem facing abandoned children of both sexes was their lack of civil status. Civil status is necessary to obtain a birth certificate, passport, or marriage license. If a father did not register his child, the child was without civil status and the benefits of citizenship. It is possible for an individual to self-register, but the process is long and cumbersome. While any child, regardless of parentage, may be registered within a month of birth, a court order is required if registration does not take place in that time.

The new law provides that children born out of wedlock can carry the father's name; Islamists criticized the 2002 law. Single mothers were heavily stigmatized.

Persons with Disabilities

There are no laws to assist persons with disabilities. A high incidence of disabling disease, especially polio, has resulted in a correspondingly high number of persons with disabilities. The latest statistics from the Government estimated the number of

persons with disabilities at 2.2 million, or 7 percent of the population. However, other estimates were as high as 3 million. While the Ministry of Social Affairs attempted to integrate persons with disabilities into society, in practice, integration largely was left to private charities. The annual budget for the ministerial department in charge of affairs concerning persons with disabilities was only .01 percent of the overall annual budget. Nonprofit special-education programs were priced beyond the reach of most families. Typically, their families supported persons with disabilities; some survived by begging.

National/Racial/Ethnic Minorities

The official language is Arabic; however, both French and Arabic were used in the news media and educational institutions. Science and technical courses were taught in French, thereby preventing the large, monolingual-Arabic-speaking population from participation in such programs. Educational reforms in the past decade have emphasized the use of Arabic in secondary schools. However, failure to transform the university system similarly has led to the disqualification of many students from higher education in lucrative fields. The poor lacked the means to provide additional instruction in French to supplement the few hours per week taught in public schools.

Approximately 60 percent of the population claim Berber heritage, including the Royal Family. Berber cultural groups contended that their traditions and language were being lost rapidly. A number of Berber associations claimed that the Government refused to register births for children with traditional Berber names, discouraged the public display of their language, limited the activities of their associations, and continued to Arabize the names of towns, villages, and geographic landmarks. Nevertheless, a full page of a major national newspaper was devoted on a monthly basis to articles and poems on Berber culture, which were printed in the Berber language. Official media broadcast in the Berber language for limited periods each day. In September, teaching of the Berber language began in 317 primary and secondary schools and plans call for the addition of other schools in the future. .

Section 6 Worker Rights

a. The Right of Association

The law permits workers to establish and join trade unions of their own, although the laws reportedly have not been implemented in some areas, and the unions were not completely free from government interference. Approximately 600,000 of the country's 10 million workers were organized in 19 trade union federations. Five federations dominated the labor scene: The Union Marocaine du Travail (UMT), the Confederation Democratique du Travail (CDT); the Union Generale des Travailleurs du Maroc (UGTM); the Islamist-oriented Union Nationale du Travail au Maroc (UNTM); and a breakaway wing of the CDT, the Federation Democratique du Travail (FDT). Most were linked to political parties. The UMT dominates the private sector; the CDT and FDT, the public sector.

During the year the Government revived a dormant tripartite process and guided business and labor towards an April 30 accord which reaffirmed the unions' right to collective bargaining and, in a concession to management, an employee's right to work. Most major labor confederations chose to join with Government and business in drafting a new Labor Code, unanimously adopted by both houses of parliament on July 3, and a bill regulating the right to strike. The Code was published in the Official Bulletin on December 8 and will be effective 6 months after publication. The new statute prohibits sit-ins. Unions may not prevent non-strikers from going to work nor may they hold sit-ins and engage in sabotage. Any striking employee who prevents someone from getting to his job is subject to a 7-day suspension. A second offense within 1 year is punishable by a 15-day suspension.

Union officers were sometimes subject to government pressure. Union leadership did not always uphold the rights of members to select their own leaders. There was no case of the rank and file voting out its current leadership and replacing it with another; however, disaffected members of the CDT broke away in April to form their own labor federation, the FDT.

The new July 3 Code specifically prohibits antiunion discrimination and incorporates ILO Convention 87. In the past, under the ostensible justification of separation for cause, employers had dismissed workers for union activities that were regarded as threatening to employer interests. The new law expressly prohibits companies from dismissing workers for participating in legitimate union organizing activities. The new law also prescribes the Government's authority, under Section 288 of the Penal Code, to intervene in strikes. In a significant concession to labor, under the new Code, employers are no longer able to initiate criminal prosecutions of workers for stopping work if they strike.

The courts have the authority to reinstate arbitrarily dismissed workers and are able to enforce rulings that compel employers to pay damages and back pay. Unions may sue to have labor laws enforced, and employers may sue unions when they believe that unions have overstepped their authority. The new Code forbids any form of industrial action, such as sit-ins, which interferes with a non-striking employee's right to work. Sabotage and other acts of destruction are also forbidden. Employers may not attempt to circumvent a work stoppage by hiring new temporary workers after a strike has begun.

Unions belonged to regional labor organizations and maintained ties with international trade union secretariats. The UMT was a member of the International Confederation of Free Trade Unions.

b. The Right to Organize and Bargain Collectively

Constitutional provisions imply the right to organize and bargain collectively; however, with the passage of the new Code these rights are now statutorily mandated. Trade union federations competed among themselves to organize workers. Any group of eight workers may organize a union and a worker may change union affiliation easily. A work site may contain several independent locals or locals affiliated with more than one labor federation. However, only unions able to show that they have as members at least 35 percent of the workforce must be recognized as negotiating partners.

Collective bargaining has been a longstanding tradition in some parts of the economy, such as the industrial sector, and is becoming more prevalent in the service sector, including banking, health and the civil service. The wages and conditions of employment of unionized workers generally were set in discussions between employer and worker representatives. However, employers set wages for the vast majority of workers unilaterally. Labor disputes have arisen in some cases as the result of employers failing to implement collective bargaining agreements and withholding wages.

Article 14 of the Constitution guarantees the right to strike, but also prescribes that the conditions and ways of exercising such a right will be defined by subsequent law which, in fact, requires compulsory arbitration of disputes. Work stoppages normally were intended to advertise grievances and lasted 24 to 72 hours or less. Most strikes during the year were of short duration, usually 24 to 48 hours, involving the teachers' unions, Royal Air Maroc employees, bank officers, longshoremen, bus drivers, cabbies, and health care professionals. There was only one extended strike, carried out by independent truck drivers, lasting from June 26 to July 8. These self-employed operators of small (8-ton) trucks objected to government efforts to register and tax them. They blockaded numerous thoroughfares and threatened other truck drivers with physical violence if they failed to heed the strike.

The new Code also prescribes the government's authority, under Section 288 of the Penal Code, to intervene in strikes. Should strikers conduct a sit-in, damage property, and/or prevent non-striking employees from getting to their jobs, employers may seek criminal prosecution of workers under the Penal Code. The Government has the authority to break up demonstrations in public areas that do not have government authorization, and to prevent the unauthorized occupancy of private space such as a factory.

Employers wishing to dismiss workers are required by law to notify the provincial governor through the labor inspector's office. In cases in which the employer plans to replace dismissed workers, a government labor inspector provides replacements and mediates the cases of workers who protest their dismissal. Any worker who is dismissed for committing a serious infraction of work rules is entitled by law to a court hearing. This judicial hearing is a strictly enforced fundamental right.

According to figures released by the Labor Department, in the first half of the year, inspectors helped resolve labor disputes affecting 350 businesses and, by so doing, precluded 418 potential strikes. Labor Department officials maintain that they seek to protect workers' jobs while encouraging workers to stay on the job.

Rather than pursue a confrontational approach with jobseekers and the unions, the Government generally opted to promote social dialogue as the means to resolve industrial conflicts. End of the year government figures showed 149 strikes involving 13,911 employees with the number of workdays lost at 70,287. Ministry negotiators helped avert 721 potential strikes

In general, the Government ensured the observance of labor laws in larger companies and in the public sector. In the informal economy, such as in the family workshops that dominated the handicrafts sector, employers routinely ignored labor laws and regulations, and government inspectors lacked the resources to monitor violations effectively.

Unions resorted increasingly to litigation to resolve labor disputes. The Ministry of Labor's 496 inspectors served as investigators and conciliators in labor disputes. According to the Ministry of Labor, its inspectors were able to help resolve some 713 potential strikes affecting 573 businesses during the first nine months of the year. It claimed that its staff, over the same period, helped to reinstate 3,039 employees.

Unresolved issues in the social dialogue remained concerning reforms to pension and retirement systems, regulating the right to strike, providing ample notice to management before a walkout, easing rules on dismissing or laying-off workers, and reducing management use of temporary workers to circumvent provisions of Code that apply only to permanent employees.

In the Tangier Free Trade Zone an export processing zone, the country's labor laws and practices fully apply to the 10,000 employees. The proportion of unionized workers in the export zone was comparable to the rest of the economy, approximately 6 percent.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however there were reports that such practices occurred (see Section 6.f.). In practice the Government lacked the resources to inspect the many small workshops and private homes where the vast majority of such employment would occur. Forced labor persisted in the practice of adoptive servitude in households.

d. Status of Child Labor Practices and Minimum Age for Employment

In January 2002, the minimum employment age was increased from 12 to 15. The July 3 Labor Code amended the existing law

on minimum age of employment to correspond to ILO Conventions 138 on the Minimum Age and 182 on the Worst Forms of Child Labor. The minimum age applies to all sectors and includes apprenticed children and those in family businesses. Various laws provide protective measures for children under 18 at work. The law prohibits children under 18 from being employed more than 10 hours per day, including a minimum of a 1-hour break or in hazardous work or night work. Under the new statute all employees are limited to a maximum 44-hour regularly scheduled workweek.

Noncompliance with child labor laws was common, particularly in agriculture where, according to a current Ministry of Labor survey, 81 percent of the country's 600,000 underage workers work on family farms. In practice, children often were apprenticed before age 12, particularly in small family-run workshops in the handicraft industry. Children, particularly rural girls, also were employed informally as domestic servants in urban areas and usually received little or no payment. Children work also in the informal sector in the textile, carpet and light manufacturing activities. Safety and health conditions, as well as wages in businesses that employ children often were substandard.

Ministry of Labor inspectors were responsible for enforcing child labor regulations, which generally were observed in the industrialized, unionized sector of the economy. However, before the passage of the new Code the inspectors were not authorized to monitor the conditions of domestic servants. Under both the new Code and amendments added to existing labor law in December, it is illegal for children under age 15 to be employed. The amendments empower labor inspectors and the police to bring charges against employers of under aged children and specify penalties. The Government maintained that the informal handicrafts sector was difficult to monitor.

The Government did not commit sufficient resources to enforce laws against child labor. There was also widespread acceptance of the desirability of contributing to family income, as well as the presumption that it was necessary to start working at a young age to properly learn traditional handicraft skills.

Along with UNICEF and several domestic NGOs, the ILO-IPEC had several small, ongoing programs to provide child maids and other working children, particularly young ostensibly apprentice artisans, rudimentary education, health care, and leisure activities.

e. Acceptable Conditions of Work

Neither the minimum wage for the industrialized sector nor the wage for agricultural workers provided a decent standard of living for a worker and family, even with government subsidies for food, diesel fuel, and public transportation. In many cases, several family members combined their income to support the family. Most workers in the industrial sector earned more than the minimum wage. They generally were paid between 13 and 16 months' salary, including bonuses, each year.

In the April 30 accord, the Government agreed to raise the minimum wage for nonagricultural employees in the private sector by 5 percent increments in July and January 2004, although analogous increases will be delayed until January 2004 and January 2005 for workers in the textile, tourism, leather and agro-food processing industries. With these two increments, minimum wage will be approximately \$225 (2,250 DH) per month in the industrialized sector. It is approximately \$9 (90 DH) per day for agricultural workers; however, businesses in the informal sector which accounts for 60 percent of the labor force often ignored the minimum wage requirements.

The minimum wage was not enforced effectively in the informal and handicraft sectors. However, the government pay scale exceeded the minimum wage for workers at the lowest civil service grades. To increase employment opportunities, the Government allowed firms to hire recent graduates for a limited period through a subsidized internship program at less than the minimum wage. However, due to economic conditions, most were not offered full-time employment at the conclusion of their internships. According to the Government, the overall unemployment rate during the year was 12 percent, but some union leaders contend that a more accurate figure, including underemployment, would be approximately 35 percent.

The new law provides for a 44-hour maximum workweek, with no more than 10 hours worked in any single day, premium pay for overtime, paid public and annual holidays, and minimum conditions for health and safety, including a prohibition on night work for women and minors. As with other labor regulations and laws, these were not observed universally and were not enforced effectively by the Government in all sectors.

Occupational health and safety standards were rudimentary, except for a prohibition on the employment of women in certain dangerous occupations. The labor inspectors attempted to monitor working conditions and investigate accidents, but lacked sufficient resources. While workers in principle had the right to remove themselves from work situations that endangered health and safety without jeopardizing their continued employment, there were no reports of workers attempting to exercise this right.

f. Trafficking in Persons

The law does not specifically prohibit trafficking in persons; under the Penal Code perpetrators were prosecuted either for fraud, kidnapping, corruption of minors, or as persons who forced others into prostitution. Trafficking in persons was a problem, but the Government fully complied with the minimum standards for the elimination of trafficking. The Immigration And Emigration Act became effective on November 20. Title II, Articles 50-56, of this act specifically prohibit trafficking in persons and levy stiff fines and prison terms against those, including government officials, involved in or failing to prevent trafficking in persons.

In March in response to concerns about the welfare of young migrant citizens, officers in embassies and consulates were instructed to provide increased services to young citizens outside the country. In September, the Government initiated public awareness campaigns designed to discourage parents from offering their children to traffickers. In December, the Government also concluded an agreement with Spain to repatriate minors.

Prostitution was prevalent, particularly in cities with large numbers of tourists, as well as near towns with large military installations (see Section 5). NGO activists estimated that there were thousands of teenage prostitutes in urban centers. Women and girls were sometimes forced into prostitution. Prostitution of minors was a problem in the village of El Hajeb near Meknes which attracted sex tourists from Europe and the Gulf.

Women also were trafficked abroad. Internal trafficking was also a problem, particularly of women for sexual exploitation or of young girls for domestic service.

The Government did not provide direct funding to NGOs offering services to victims of trafficking. However, the Government did provide in-kind support. The Government supported programs aimed at keeping children in school, improving education opportunities for rural girls, and expanding economic opportunities in high-risk areas.

The country was also a transit point for trafficking and alien smuggling to Europe. Hundreds of citizens and foreigners, most from sub-Saharan Africa, drown annually attempting to cross the Strait of Gibraltar.